

PUBLIC HEARING
January 27, 2003

PUBLIC HEARINGS were held on Monday, January 27, 2003, at 7:03 p.m. in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, to solicit public comment, written or oral, on Bill No. **02-78** SC Gen. Company.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3, Vice-Chairman; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr. Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Ms. Nicole S. Ewing, Deputy County Attorney, and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and the Berkeley County Library, published in THE POST & COURIER, THE STATE on January 10, 2003, as evidenced by attached copy of Affidavits of Publication and mailed to the newspaper, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order and asked if there were any written comments on any of the Public Hearings; and there were none. He stated these Public Hearings were being held to solicit public comment, written or oral on the following:

A proposed issuance by the County of not exceeding \$35,850,000 Berkeley County, South Carolina, Pollution Control Facilities Refunding Revenue Bonds (South Carolina Generating Company, Inc.) (the "Bonds") in one or more series. The proceeds from the sale of the Bonds will be loaned by the County to South Carolina Generating Company, Inc. (the "Company") pursuant to a Loan Agreement in order to refund the \$35,850,000 original principal amount Berkeley County, South Carolina, Pollution Control Facilities Revenue Refunding Bonds (South Carolina Electric & Gas Company Project), Series 1984, the proceeds of which were loaned to South Carolina Electric & Gas Company, a South Carolina corporation to finance or refinance the costs of acquiring, constructing and installing certain systems designed to eliminate, mitigate or prevent air and water pollution and to aid in solid waste disposal in connection with the conversion of the Arthur M. Williams Generating Station from oil-fired to coal-fired operation, including without limitation (a) electrostatic precipitators, (b) dust suppression and dust collection systems, (c) dry fly ash and bottom ash handling systems, (d) a coal pile run-off system, (e) a pH system for ash pond, (f) ash transport and landfill equipment, and (g) necessary land and improvements incidental to solid waste disposal located at Highway 17A Ash Landfill, Highway 17A, Moncks Corner, South Carolina 29461 and Highway 52 Ash Landfill, Highway 52, Moncks Corner, South Carolina 29461; together with related structures, machinery, equipment and other property (the "Original Project"). The Original Project is, and will continue to be, owned and operated by the Company and is

located (with the exception of the above-referenced landfill sites) at Williams Station, 2242 Bushy Park Road, Goose Creek, South Carolina 29445.

The Bonds will be payable by the County solely and exclusively out of payments to be made by the Company and are to be secured, inter alia, by the revenues derived by the County from the Company. The Bonds will not constitute an indebtedness of the County or the State of South Carolina within the meaning of any South Carolina constitutional provision or statutory limitation (other than Article X, Section 14(10) of the State Constitution permitting indebtedness payable solely from a source of revenues other than derived from a tax or license) nor give rise to a pecuniary liability of the State of South Carolina or the County. The Bonds will not constitute a charge against the general credit of the State of South Carolina or the County or the taxing powers of the State of South Carolina or the County.

There were no written or public comments; therefore, the Public Hearing was declared ended at 7:03 p.m.

S/Barbara B. Austin
Clerk of County Council

February 24, 2003
Date Approved

AGENDA FOR PUBLIC HEARINGS

A Public Hearing to solicit public comment, written or oral, will be held on Monday January 27, 2003, at 6:45 p. m., or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., (Bill No. 02-78) regarding a proposed issuance by the County of not exceeding \$35,850,000 Berkeley County, South Carolina, Pollution Control Facilities Refunding Revenue Bonds (South Carolina Generating Company, Inc.) (the "Bonds") in one or more series. The proceeds from the sale of the Bonds will be loaned by the County to South Carolina Generating Company, Inc. (the "Company") pursuant to a Loan Agreement in order to refund the \$35,850,000 original principal amount Berkeley County, South Carolina, Pollution Control Facilities Revenue Refunding Bonds (South Carolina Electric & Gas Company Project), Series 1984, the proceeds of which were loaned to South Carolina Electric & Gas Company, a South Carolina corporation to finance or refinance the costs of acquiring, constructing and installing certain systems designed to eliminate, mitigate or prevent air and water pollution and to aid in solid waste disposal in connection with the conversion of the Arthur M. Williams Generating Station from oil-fired to coal-fired operation, including without limitation (a) electrostatic precipitators, (b) dust suppression and dust collection systems, (c) dry fly ash and bottom ash handling systems, (d) a coal pile run-off system, (e) a pH system for ash pond, (f) ash transport and landfill equipment, and (g) necessary land and improvements incidental to solid waste disposal located at Highway 17A Ash Landfill, Highway 17A, Moncks Corner, South Carolina 29461 and Highway 52 Ash Landfill, Highway 52, Moncks Corner, South Carolina 29461; together with related structures, machinery, equipment and other property (the "Original Project"). The Original Project is, and will continue to be, owned and operated by the Company and is located (with the exception of the above-referenced landfill sites) at Williams Station, 2242 Bushy Park Road, Goose Creek, South Carolina 29445.

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**CALL TO ORDER
STATEMENT OF PURPOSE OF HEARING
PUBLIC DISCUSSION
ADJOURNMENT**

January 22, 2003
S/Barbara B. Austin
Clerk of County Council